

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

Braun GmbH,

Plaintiff,

v.

Rayovac Corporation,

Defendant.

Civil Action No. 03-CV-12428 (WGY)

JOINT MOTION TO AMEND THE SCHEDULING ORDER

The parties to the above-captioned action hereby move to amend the Revised Joint Statement entered by the Court on October 25, 2004 as follows:

1. Expert Report of Party with Burden due May 23, 2005
2. Rebuttal Expert Report due June 13, 2005
3. Rebuttal Expert Report of Party with Burden due June 27, 2005.

In support of this motion, the parties state that they believe it is efficient to have a claim construction opinion prior to submitting expert reports. As the Court has set the Markman hearing for March 15, 2005, it would be inefficient to proceed on the current schedule which sets the date for submission of the initial expert report on April 1, 2005. The dates set for the close of discovery and the deadline for dispositive motions remain unaffected by this amendment. Therefore, the parties respectfully request that the Court allow the amendment to the schedule.

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Stipulated and agreed to this 7th day
of February, 2005.

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IT IS SO ORDERED:

Dated this _____ day of _____ 2005.

William G. Young,
Chief Judge
United States District Court